

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

ELSUN WHEELER AND FREDDIE DAVIS,

Plaintiffs,

**STIPULATION AND  
ORDER OF DISMISSAL**

-against-

24-cv-469 (RA)

THE CITY OF NEW YORK, ET AL.,

Defendants.

----- X

**WHEREAS**, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, that

1. The above-referenced action is hereby dismissed with prejudice; and

2. Notwithstanding the dismissal of this action in accordance with this agreement, the District Court shall continue to retain jurisdiction over this action for the purpose of enforcing the terms of the settlement agreement reached between the parties and set forth in the Stipulation of Settlement executed by the parties in this matter.

Dated: New York, New York  
April 23, 2025

RICKNER PLLC  
*Attorneys for Plaintiff*  
14 Wall Street, Suite 1603  
New York, NY 10005  
212-300-6506

By:   
Sara J. Wolkenstorfer  
*Attorney for Plaintiff*

MURIEL GOODE-TRUFANT  
Corporation Counsel of the  
City of New York  
*Attorney for Defendant City of New York*  
100 Church Street, 3<sup>rd</sup> Floor  
New York, New York 10007

By: /s/ John Schemitsch  
John Schemitsch  
*Senior Counsel*

SO ORDERED:

\_\_\_\_\_  
HON. RONNIE ABRAMS  
UNITED STATES DISTRICT JUDGE

Dated: \_\_\_\_\_, 2025

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
ELSUN WHEELER AND FREDDIE DAVIS,

Plaintiffs,

**STIPULATION AND  
ORDER OF DISMISSAL**

-against-

24-cv-469 (RA)

CITY OF NEW YORK, OFFICER TAI, OFFICER MCNEIL,  
OFFICER PHILOGENE, OFFICER YOUNG, AND  
OFFICER MOORE,

Defendants.  
----- X

**WHEREAS**, plaintiff Freddie Davis and defendants have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, that

1. The above-referenced action is hereby dismissed with prejudice; and
2. Notwithstanding the dismissal of this action in accordance with this agreement, the District Court shall continue to retain jurisdiction over this action for the purpose of enforcing the terms of the settlement agreement reached between the parties and set forth in the Stipulation of Settlement executed by the parties in this matter.

RICKNER PLLC  
*Attorneys for Plaintiff Freddie Davis*  
14 Wall Street, Suite 1603  
New York, NY 10005  
212-300-6506

By:   
Sara J. Wolkensdorfer  
*Attorney for Plaintiff Freddie Davis*

MURIEL GOODE-TRUFANT  
Corporation Counsel of the  
City of New York  
*Attorney for Defendant City of New York*  
100 Church Street, 3<sup>rd</sup> Floor  
New York, New York 10007

By:           /s/ John Schemtisch            
John Schemitsch  
*Senior Counsel*

SO ORDERED:

Dated: New York, New York  
February 24, 2025

---

HON. RONNIE ABRAMS  
UNITED STATES DISTRICT JUDGE